

From: Llamozas, Emilio
Sent: Wednesday, April 29, 2015 11:00 AM
To: Andrew Levy; Steve Kahn (PantherDI); Alex Moreno; Alex Moreno (PantherDI)
Cc: Dean, Abigail
Subject: RE: SWPP timeline update

Andrew,

Below are the list of alleged violations and dates.

Black Eagle Estates

Violation	Length of Violation
Discharge without a permit	The site did not have a permit from August 1, 2013 (construction start date) to January 1, 2015 (permit becomes effective 14 days after submitting NOI on December 18, 2014).
No SWPPP	The site did not have a SWPPP from August 1, 2013 (construction start date) to December 15, 2014 (SWPPP preparation date).
Inadequate SWPPP	The site had an inadequate SWPPP from December 15, 2014 to February 27, 2015.
Failure to install BMPs	The site did not have BMPs from August 1, 2013 (construction start date) to October 1, 2013 (date BMPs were installed).
BMPs not maintained	No self-inspections of the BMPs were performed during the construction period. The EPA inspected the site on August 28, 2014 and found that BMPs had not been maintained. BMPs were maintained on January 29, 2015 (date of response with photos of BMPs).
Failure to conduct inspections.	Panther Development Investments did not perform inspections at the site from August 1, 2013 (construction start date) to January 1, 2015.

White Oaks Trailer Park

Violation	Length of Violation
Discharge without a permit	The site did not have a permit from April 1, 2014 (construction start date) to January 1, 2015 (permit becomes effective 14 days after submitting NOI on December 18, 2014).
No SWPPP	The site did not have a SWPPP from April 1, 2014 (construction start date) to February 26, 2015 (SWPPP preparation date).
Failure to install BMPs	The site did not have BMPs from April 1, 2014 (construction start date) to October 1, 2014 (date BMPs were installed). The EPA inspected the site on August 28, 2014 and found that BMPs had not been installed.
Failure to maintain BMPs	No self-inspections of the BMPs were performed during the construction period. BMPs were maintained on January 29, 2015 (date of response with photos of BMPs).
Failure to conduct inspections.	Panther Development Investments did not perform inspections at the site from April 1, 2014 (construction start date) to January 1, 2015.

Please let me know if you have any questions.

Thanks,

Emilio Llamozas
(303) 312-6407 phone
(303) 312-7202 fax

To report an environmental violation, please visit EPA's website at
<http://www.epa.gov/compliance/complaints/index.html>

From: Andrew Levy [<mailto:alevy@fwblaw.net>]
Sent: Wednesday, April 29, 2015 10:25 AM
To: Llamozas, Emilio; Steve Kahn (PantherDI); Alex Moreno; Alex Moreno (PantherDI)
Cc: Dean, Abigail
Subject: RE: SWPP timeline update

Thank you. Can you please send me your list of alleged violations and dates? I want to compare them against my notes from the call to make sure that I captured them all correctly.

From: Llamozas, Emilio [<mailto:Llamozas.Emilio@epa.gov>]
Sent: Wednesday, April 29, 2015 12:19 PM
To: Andrew Levy; Steve Kahn (PantherDI); Alex Moreno; Alex Moreno (PantherDI)
Cc: Dean, Abigail
Subject: FW: SWPP timeline update

Andrew, Steve and Alex:

As promised on today's call, below is the link to the EPA Stormwater Penalty Policy.

<http://www2.epa.gov/enforcement/supplemental-guidance-interim-clean-water-act-cwa-settlement-penalty-policy-march-1-1995>

Also, attached is the updated timeline spreadsheet that I received from Bruce Lott.

Please let me know if you have any questions.

Thanks,

Emilio Llamozas
(303) 312-6407 phone
(303) 312-7202 fax

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<http://www.epa.gov/compliance/complaints/index.html>

From: blottgolf@me.com [<mailto:blottgolf@me.com>]

Sent: Tuesday, February 17, 2015 1:50 PM

To: Llamozas, Emilio

Cc: skahn@pantherdi.com

Subject: SWPP timeline update

Emilio.....Here's the timeline you sent with some updates. Any questions, give me a call.

Bruce Lott

513.535.4006